[SEAL]

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FREDERICK S. HUMPHRIES, PRESIDENT

OFFICE OF THE PRESIDENT CONFIDENTIAL

October 10, 1994

Dr. Frederick S. Humphries
President
Suite 401 Lee Hall
Florida A&M University
Tallahassee, FL 32307

Dear Dr. Humphries:

Pursuant to Florida A&M University Rule 6C3-10.125 Discrimination and Harassment Complaint Procedures, attached is the investigative report for the racial discrimination complaint filed by several journalism students against Mr. Gerald Gee. Mr. Gee is an Assistant Professsor [sic] in the School of Journalism, Media and Graphic Arts.

As stipulated in the University Rule previously cited, the President is to render a decision dismissing the complaint or initiating formal action within 30 working days (November 22, 1994) of receipt of the EEO/EEA Officer's report and recommendation.

If there are questions or if you desire to discuss this report, please advise.

Sincerely,

/s/ Carrie M. Gavin
Carrie M. Gavin
Acting Director

/cmg
Attachment

Office of Equal Opportunity Programs
Investigative Report
Journalism Students vs Gerald Gee

An investigation was conducted after receipt of a letter alleging racial discrimination by Mr. Gerald Gee was forwarded to the Office of Equal Opportunity Programs on August 5, 1994. The complainants (Ms. Lisa G. Atkinson, Mr. Derek G. Austin, Ms. Chamane N. Kennedy, and Ms. Tisha N. Rumph) charge Mr. Gerald Gee with violating University Rule 6C3-10.125 Discrimination and Harassment Complaint Procedures. In addition to reviewing complainants' written statements, the Office of EOP interviewed Ms. Chamane Kennedy; Ms. Tisha Rumph; Dr. James Hawkins, Director for the Division of Journalism; Mr. James Haskins, professor within the Division of Journalism; and Mr. Robert Ruggles, Dean for the School of Journalism, Media and Graphic Arts. Excluding the complainants, statements were requested from all students that attended Mr. Gee's PUR 4001 class on the evening of the alleged incident. None of those students

responded to the request. A survey was also sent to several students, who were randomly selected from two classes taught by Mr. Gee prior to the alleged incident. A response was received from one student. The randomly surveyed students were not required to identify themselves. The Office of Equal Opportunity Programs also reviewed records from the files of several offices on campus.

The Allegation

The complainants, all African-Americans, filed a complaint alleging that Mr. Gerald Gee, a white Assistant Professor in the Division of Journalism, racially discriminated against them in a class setting.

The Charge of the EOP Office

Upon receiving the complaints, the Office of Equal Opportunity Programs undertook a fact finding investigation to determine the following:

(1) Whether the students experienced racial discrimination by Mr. Gee in the classroom, and

(2) Whether any slurs, innuendos or other verbal or physical conduct reflecting on an individual's race or ethnic background had the purpose or effect of creating an intimidating, hostile or offensive educational environment or had the purpose or effect of unreasonably interfering with the individual's school performance or class participation or whether it affected the individual's educational opportunities.

(3) Determine what action is required by the University for relief.

Findings

On September 20, 1993, students in PUR 4001, Public Relations Case Study, discussed and possibly, at times, complained about the lack of opportunities for Public Relations majors (PR) at Florida A&M University. Mr. Gee, the assistant professor for the course, listened to the conversation. It was common for the students to discuss topics that concerned them, whether those topics were a part of the lecture or not. Some of the students felt that the School of Journalism should provide more opportunities for PR majors to practice their craft as they did for the other sequences, while other students felt that it was the responsibility of the student to make his/her own opportunities.

Mr. Gee entered the discussion by warning the students that he was about to say something that could be considered "offensive". "I needed a way to get their attention and leave them with something to think about so we could move on," said Gee in a statement to the EOP Office. The statement following the warning is what moved the complainants to file their complaints. In his own words, Gee recalls saying, "Anyone who doesn't take advantage of the opportunities for themselves may be guilty of having what some would call a 'nigger mentality' – the sort of thinking that can keep us all on the back of the bus forever." The complainants all agree that the term "nigger mentality" or "nigger thinking" was used by Gee, however they do not recall Gee including himself as being one who could remain on the back of the bus forever. Gee states that he apologized the night the controversial term was uttered. The complainants do not recall Gee apologizing that night even after his statement

was challenged. All of the complainants felt that Gee was insensitive and/or nonchalant about the effects his statement had on the students. It was this perceived attitude, among other things, that resulted in the complainants filing charges.

The immediate reactions of the students included one student putting her head on the desk, several students walking out of the class, and emotions ranging from shock to disbelief to anger. Two of the students sat in a car for over a hour after class was dismissed to discuss Gee's statement and the resulting effects. Two days later, a letter of complaint was filed by six of the students present the evening Gee made the "nigger mentality" statement. Mr. Gee later wrote "that what I said was a mistake". He also submitted to Dean Ruggles and Dr. Hawkins a letter of resignation four days after making his controversial statement. However, they permitted Gee to withdraw his resignation. No disciplinary action has been taken against Mr. Gee.

Summary

The Webster's New World Dictionary of the American Language, Senior Edition, at page 504 defines the word, nigger, as follows:

> "[A] member of any dark-skinned people. A vulgar, offensive term of hostility and contempt, as used by racists."

The word, nigger, is clearly a racial slur. Not only does the dictionary define "nigger" as offensive and vulgar, but Dean Robert Ruggles says he considers the word a racial slur and that it should never be used in a class

setting. Gee's immediate supervisor, Dr. James Hawkins, also felt that Gee exercised poor judgement. Although Gee states his intentions were to "motivate", it is frightening to think that he gave his statement prior thought and still could not decipher that at least one of his students would be offended. Ms. Lisa Atkinson made the following statement in her complaint:

> "Offense does not begin to describe what I felt. First of all, he never said that he was about to make a racially derogatory statement that would attempt to lessen the struggles and the mindset of an oppressed people. Nor did he state that he was about to offend my parents, grandparents, aunts, and uncles who for so many years rode the back of the bus, not because of their nigger thinking, whatever that really means, but because of those in power who thought that Blacks were inferior and deserved nothing but inferior service."

University Rule 6C3-10.125 (2)(a) Discrimination and Harassment Complaint Procedures states that harassment shall include:

> "Any slurs, innuendos or other verbal or physical conduct reflecting on an individual's race . . . which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities."

Mr. Gee used a racial slur in an educational environment. Ms. Tisha Rumph and Ms. Chamane Kennedy stated that

they lost respect for Mr. Gee and his ability to teach. Prior to this incident, Ms. Kennedy stated that she "liked" Mr. Gee, he was her advisor and someone she could talk to. After the incident occurred, Ms. Kennedy stated that she dropped him as an advisor and no longer felt comfortable around him. However, all complainants stayed in his class and completed their assignments with passing grades.

The Office of Civil Rights states for a racially hostile environment to exist, it must be "severe, pervasive or persistent." Mr. Gee eventually apologized to the class and tried to make amends to his students by talking with them. Mr. Gee's initial statement has had a lingering divisive and disruptive effect on the School of Journalism and the University. This Office finds that Mr. Gee violated Rule 6C3-10.125, F.A.C.

RECOMMENDATION

Based upon the findings, this was Mr. Gee's first offense of such a nature. However, the trust that was given Mr. Gee by his students was severely damaged. It is inconceivable that a public relations professor who teaches on a daily basis the necessity of knowing your audience and how to achieve maximum results from that audience, could so substantially misjudge the reactions of his number-one audience – his students. This Office recommends two weeks suspension without pay for Mr. Gee's premeditated use of racial slurs that were directed against students in his class. Appropriate action should be taken if Mr. Gee repeats conduct of this nature.

ADDENDUM

Includes:

*Witness Interview with Mr. Robert Ruggles

*Witness Interview with Dr. James Hawkins

*Witness Interview with Ms. Chamane Kennedy

*Witness Interview with Ms. Tisha Rumph

*Witness Interview with Mr. James Haskins

*Charge of Discrimination/Harassment form for Ms. Lisa Atkinson

*Charge of Discrimination/Harassment form for Ms. Chamane Kennedy

*Charge of Discrimination/Harassment form for Ms. Tisha Rumph

*Charge of Discrimination/Harassment form for Mr. Derek Austin

*Response to allegations by Mr. Gerald Gee